

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:16-cv-01975-TNM**

AMERICAN CENTER FOR LAW AND JUSTICE v. UNITED
STATES DEPARTMENT OF STATE
Assigned to: Judge Trevor N. McFadden
Cause: 05:552 Freedom of Information Act

Date Filed: 10/05/2016
Jury Demand: None
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

**AMERICAN CENTER FOR LAW
AND JUSTICE**

represented by **Abigail A. Southerland**
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V.

Defendant

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TERMINATED: 03/14/2019

Date Filed	#	Docket Text
10/05/2016	<u>1</u>	COMPLAINT against UNITED STATES DEPARTMENT OF STATE (Filing fee \$ 400 receipt number 0090-4699233) filed by AMERICAN CENTER FOR LAW AND JUSTICE. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Civil Cover Sheet, # <u>4</u> Summons, # <u>5</u> Summons, # <u>6</u> Summons)(Sekulow, Jay) (Entered: 10/05/2016)
10/05/2016	<u>2</u>	NOTICE of Appearance by Jay Alan Sekulow on behalf of AMERICAN CENTER FOR LAW AND JUSTICE (Sekulow, Jay) (Entered: 10/05/2016)

10/05/2016	<u>3</u>	LCvR 7.1 CERTIFICATE OF DISCLOSURE of Corporate Affiliations and Financial Interests by AMERICAN CENTER FOR LAW AND JUSTICE (Sekulow, Jay) (Entered: 10/05/2016)
10/05/2016	<u>4</u>	NOTICE of Appearance by Colby Mims May on behalf of AMERICAN CENTER FOR LAW AND JUSTICE (May, Colby) (Entered: 10/05/2016)
10/05/2016	<u>5</u>	NOTICE of Appearance by Stuart J. Roth on behalf of AMERICAN CENTER FOR LAW AND JUSTICE (Roth, Stuart) (Entered: 10/05/2016)
10/05/2016	<u>6</u>	MOTION for Leave to Appear Pro Hac Vice :Attorney Name– Craig L. Parshall, :Firm– American Center for Law and Justice, :Address– 201 Maryland Ave., NE. Phone No. – 202–546–8890. Fax No. – 202–546–9309 Filing fee \$ 100, receipt number 0090–4699397. Fee Status: Fee Paid. by AMERICAN CENTER FOR LAW AND JUSTICE (Attachments: # <u>1</u> Declaration, # <u>2</u> Text of Proposed Order)(Roth, Stuart) (Entered: 10/05/2016)
10/05/2016	<u>7</u>	MOTION for Leave to Appear Pro Hac Vice :Attorney Name– Benjamin P. Sisney, :Firm– American Center for Law and Justice, :Address– 201 Maryland Ave., NE. Phone No. – 202–546–8890. Fax No. – 202–546–9309 Filing fee \$ 100, receipt number 0090–4699411. Fee Status: Fee Paid. by AMERICAN CENTER FOR LAW AND JUSTICE (Attachments: # <u>1</u> Declaration, # <u>2</u> Text of Proposed Order)(Roth, Stuart) (Entered: 10/05/2016)
10/05/2016		Case Assigned to Judge Emmet G. Sullivan. (md) (Entered: 10/05/2016)
10/05/2016	<u>8</u>	SUMMONS (3) Issued Electronically as to UNITED STATES DEPARTMENT OF STATE, U.S. Attorney and U.S. Attorney General (Attachments: # <u>1</u> Notice of Consent) (md) (Entered: 10/05/2016)
10/06/2016		MINUTE ORDER granting motions for leave to appear pro hac vice, <u>6</u> and <u>7</u> . Benjamin P. Sisney and Craig L. Parshall are hereby admitted pro hac vice in this action. Signed by Judge Emmet G. Sullivan on 10/6/2016. (lcegs4) (Entered: 10/06/2016)
10/12/2016	<u>9</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 10/11/2016. Answer due for ALL FEDERAL DEFENDANTS by 11/10/2016. (Sisney, Benjamin) (Entered: 10/12/2016)
10/12/2016	<u>10</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 10/11/2016. (Sisney, Benjamin) (Entered: 10/12/2016)
10/12/2016	<u>11</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. UNITED STATES DEPARTMENT OF STATE served on 10/11/2016 (Sisney, Benjamin) (Entered: 10/12/2016)
11/10/2016	<u>12</u>	ANSWER to Complaint by UNITED STATES DEPARTMENT OF STATE.(Lee, Jason) (Entered: 11/10/2016)
12/07/2016	<u>13</u>	STANDING FOIA ORDER. Signed by Judge Emmet G. Sullivan on 12/7/2016. (lcegs4) (Main Document 13 replaced on 12/7/2016) (zmac). (Entered: 12/07/2016)
12/07/2016		Set/Reset Deadlines: Joint Scheduling Order due by 1/7/2017. (mac) (Entered: 12/07/2016)
01/06/2017	<u>14</u>	Joint STATUS REPORT by UNITED STATES DEPARTMENT OF STATE. (Lee, Jason) (Entered: 01/06/2017)
01/19/2017		MINUTE ORDER. The parties are directed to file a joint status report, including a recommendation for further proceedings, by no later than March 20, 2017. In the event that counsel are unable to agree on a joint recommendation, each party shall file an individual recommendation by that time. Signed by Judge Emmet G. Sullivan on 1/19/2017. (lcegs4) (Entered: 01/19/2017)
01/23/2017		Set/Reset Deadlines: Joint Status Report or Individual Recommendation due by 3/20/2017. (mac) (Entered: 01/23/2017)

02/23/2017	<u>15</u>	MOTION for Judgment on the Pleadings (<i>Partial</i>) by UNITED STATES DEPARTMENT OF STATE (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Text of Proposed Order)(Lee, Jason) (Entered: 02/23/2017)
03/07/2017	<u>16</u>	MOTION for Leave to Appear Pro Hac Vice :Attorney Name– Abigail A. Southerland, :Firm– American Center for Law and Justice, :Address– 625 Bakers Bridge Avenue, Suite 105–121, Franklin, TN, 37064. Phone No. – (615) 599–5572, ext. 4006. Fax No. – (615) 599–5189 Filing fee \$ 100, receipt number 0090–4868390. Fee Status: Fee Paid. by AMERICAN CENTER FOR LAW AND JUSTICE (Attachments: # <u>1</u> Declaration, # <u>2</u> Text of Proposed Order)(Roth, Stuart) (Entered: 03/07/2017)
03/08/2017		MINUTE ORDER granting <u>16</u> motion for leave to appear pro hac vice. Abigail A. Southerland is hereby admitted pro hac vice in this action. Signed by Judge Emmet G. Sullivan on 3/8/2017. (lcegs4) (Entered: 03/08/2017)
03/09/2017	<u>17</u>	NOTICE of Appearance by Matthew R. Clark on behalf of AMERICAN CENTER FOR LAW AND JUSTICE (Clark, Matthew) (Entered: 03/09/2017)
03/09/2017	<u>18</u>	RESPONSE re <u>15</u> MOTION for Judgment on the Pleadings (<i>Partial</i>) and request for oral hearing filed by AMERICAN CENTER FOR LAW AND JUSTICE. (Attachments: # <u>1</u> Text of Proposed Order)(Sekulow, Jay) (Entered: 03/09/2017)
03/16/2017	<u>19</u>	REPLY to opposition to motion re <u>15</u> MOTION for Judgment on the Pleadings (<i>Partial</i>) filed by UNITED STATES DEPARTMENT OF STATE. (Lee, Jason) (Entered: 03/16/2017)
03/20/2017	<u>20</u>	Joint STATUS REPORT by UNITED STATES DEPARTMENT OF STATE. (Lee, Jason) (Entered: 03/20/2017)
03/31/2017	<u>21</u>	MOTION to Amend/Correct <u>1</u> Complaint, by AMERICAN CENTER FOR LAW AND JUSTICE (Attachments: # <u>1</u> Exhibit Amended Complaint, # <u>2</u> Exhibit A to Amended Complaint, # <u>3</u> Exhibit B to Amended Complaint)(Southerland, Abigail) (Entered: 03/31/2017)
04/07/2017	<u>22</u>	RESPONSE re <u>21</u> MOTION to Amend/Correct <u>1</u> Complaint, filed by UNITED STATES DEPARTMENT OF STATE. (Attachments: # <u>1</u> Text of Proposed Order)(Lee, Jason) (Entered: 04/07/2017)
04/12/2017	<u>23</u>	REPLY to opposition to motion re <u>21</u> MOTION to Amend/Correct <u>1</u> Complaint, filed by AMERICAN CENTER FOR LAW AND JUSTICE. (Southerland, Abigail) (Entered: 04/12/2017)
04/12/2017		MINUTE ORDER. In view of <u>20</u> joint status report, the Court will hold a status conference on May 2, 2017 at 2:00 pm in Courtroom 24A. Signed by Judge Emmet G. Sullivan on 4/12/2017. (lcegs1) (Entered: 04/12/2017)
04/13/2017		Set/Reset Hearings: Status Conference set for 5/2/2017 at 2:00 PM in Courtroom 24A before Judge Emmet G. Sullivan. (mac) (Entered: 04/13/2017)
04/26/2017	<u>24</u>	NOTICE of Recent Decision by UNITED STATES DEPARTMENT OF STATE re <u>15</u> MOTION for Judgment on the Pleadings (<i>Partial</i>) (Lee, Jason) (Entered: 04/26/2017)
04/27/2017		MINUTE ORDER. In order to make the upcoming status conference on May 2, 2017 as productive as possible, the Court directs the parties to be prepared to discuss plaintiff's motion to amend the complaint. Signed by Judge Emmet G. Sullivan on 4/27/2017. (lcegs2) (Entered: 04/27/2017)
05/02/2017		Minute Entry for proceedings held before Judge Emmet G. Sullivan: Status Conference held on 5/2/2017. The Court grants <u>21</u> MOTION to Amend/Correct <u>1</u> Complaint, by AMERICAN CENTER FOR LAW AND JUSTICE. Plaintiff To File Amended Complaint due by 5/9/2017. Defendant Response due by 5/20/2017. Plaintiff Response To Motions due by 6/6/2017. Government Reply due by 6/20/2017. Joint Status Report due by 5/17/2017, Status Conference set for 5/19/2017 at 12:00 PM in Courtroom 24A before Judge Emmet G. Sullivan. The Court Will Issue A Minute Order Forthcoming. (Court Reporter SCOTT WALLACE.) (mac) (Entered: 05/02/2017)

05/02/2017		MINUTE ORDER granting over objection plaintiff's motion for leave to file an amended complaint. See Fed. R. Civ. P. 15(a)(2) ("The court should freely give leave when justice so requires."); see also <i>Richardson v. United States</i> , 193 F.3d 545, 548-49 (D.C. Cir. 1999) ("Leave to amend a complaint should be freely given in the absence of undue delay, bad faith, undue prejudice to the opposing party, repeated failure to cure deficiencies, or futility.") (citing <i>Foman v. Davis</i> , 371 U.S. 178, 182 (1962)). Plaintiff is directed to file its amended complaint by no later than May 9, 2017. Defendant is directed to answer or otherwise respond to the amended complaint by no later than May 22, 2017. Plaintiff shall file any response by no later than June 6, 2016. Defendant shall file any reply by no later than June 20, 2017. Pursuant to plaintiff's counsel's representations at the status conference on May 2, 2017, Requests 5 and 6 from plaintiff's FOIA Request dated August 15, 2016 and assigned Case Control Number F-2016-10421 have been withdrawn. The parties are directed to meet and confer in person in an effort to narrow plaintiff's request for documents and to determine a reasonable schedule for an expedited production of documents. The parties are directed to file a joint status report, including a recommendation as to the scope and pace of document production, by no later than May 17, 2017 at 12:00 pm. In the event that counsel are unable to agree on a joint recommendation, each party shall file an individual recommendation by that time. The Court will hold a status conference on May 19, 2017 at 12:00 pm in Courtroom 24A. Signed by Judge Emmet G. Sullivan on 5/2/2017. (lcegs2) (Entered: 05/02/2017)
05/02/2017	<u>25</u>	AMENDED COMPLAINT against UNITED STATES DEPARTMENT OF STATE filed by AMERICAN CENTER FOR LAW AND JUSTICE. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(znmw) (Entered: 05/03/2017)
05/03/2017		MINUTE ORDER. In light of the Order granting plaintiff's motion to file an amended complaint and substantially for the reasons stated on the record at the status conference on May 2, 2017, <u>15</u> defendant's partial motion for judgment on the pleadings is denied without prejudice as moot. Signed by Judge Emmet G. Sullivan on 5/3/2017. (lcegs2) (Entered: 05/03/2017)
05/17/2017	<u>26</u>	STATUS REPORT and <i>Plaintiff's Separate Recommendation</i> by AMERICAN CENTER FOR LAW AND JUSTICE. (Sisney, Benjamin) (Entered: 05/17/2017)
05/17/2017	<u>27</u>	STATUS REPORT (<i>Statement and Recommendation</i>) by UNITED STATES DEPARTMENT OF STATE. (Attachments: # <u>1</u> Affidavit)(Lee, Jason) (Entered: 05/17/2017)
05/17/2017		MINUTE ORDER. In light of [26, 27] the parties' status reports, the Court directs each party to file a short submission by no later than 3:00 P.M. on May 18, 2017 that discusses the rate of processing in other recent FOIA cases in which the Department of State is a defendant. Signed by Judge Emmet G. Sullivan on May 17, 2017. (lcegs2) (Entered: 05/17/2017)
05/18/2017	<u>28</u>	STATUS REPORT (<i>Plaintiff's submission per Court's Order of May 17, 2017, regarding other FOIA lawsuits against this Defendant</i>) by AMERICAN CENTER FOR LAW AND JUSTICE. (Sisney, Benjamin) (Entered: 05/18/2017)
05/18/2017	<u>29</u>	STATUS REPORT (<i>submission regarding processing rates</i>) by UNITED STATES DEPARTMENT OF STATE. (Lee, Jason) (Entered: 05/18/2017)
05/18/2017	<u>30</u>	STATUS REPORT (<i>supplemental submission regarding processing rates</i>) by UNITED STATES DEPARTMENT OF STATE. (Lee, Jason) (Entered: 05/18/2017)
05/19/2017		Minute Entry for proceedings held before Judge Emmet G. Sullivan: Status Conference held on 5/19/2017. Joint Status Report due by 12/15/2017. Status Conference set for 1/10/2018 at 12:00 PM in Courtroom 24A before Judge Emmet G. Sullivan. The Court Will Issue An Order Forthcoming. (Court Reporter CRYSTAL PILGRIM.) (mac) (Entered: 05/19/2017)
05/19/2017	<u>31</u>	ORDER as to processing and production rates for documents responsive to Plaintiff's FOIA request. See document for details. Signed by Judge Emmet G. Sullivan on May 19, 2017. (lcegs2) (Entered: 05/19/2017)
05/22/2017	<u>32</u>	MOTION to Dismiss or in the alternative, <i>MOTION to Stay Proceedings on Count Two of the Amended Complaint</i> by UNITED STATES DEPARTMENT OF STATE (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Text of Proposed Order)(Lee, Jason).

		Added MOTION to Stay on 6/21/2017 (jf). (Entered: 05/22/2017)
06/06/2017	<u>33</u>	Memorandum in opposition to re <u>32</u> MOTION to Dismiss filed by AMERICAN CENTER FOR LAW AND JUSTICE. (Southerland, Abigail) (Entered: 06/06/2017)
06/20/2017	<u>34</u>	REPLY to opposition to motion re <u>32</u> MOTION to Dismiss filed by UNITED STATES DEPARTMENT OF STATE. (Lee, Jason) (Entered: 06/20/2017)
06/26/2017	<u>35</u>	Joint MOTION for Extension of Time to <i>File Status Report</i> by UNITED STATES DEPARTMENT OF STATE (Lee, Jason) (Entered: 06/26/2017)
06/26/2017		MINUTE ORDER granting <u>35</u> joint motion for extension of time to file status report. Defendant is directed to file a status report by no later than June 28, 2017. Signed by Judge Emmet G. Sullivan on June 26, 2017. (lcegs2) (Entered: 06/26/2017)
06/27/2017		Set/Reset Deadlines: Defendant Status Report due by 6/28/2017 (mac) (Entered: 06/27/2017)
06/28/2017	<u>36</u>	STATUS REPORT by UNITED STATES DEPARTMENT OF STATE. (Lee, Jason) (Entered: 06/28/2017)
07/11/2017	<u>37</u>	TRANSCRIPT OF PROCEEDINGS before Judge Emmet G. Sullivan held on 5-2-17; Page Numbers: (1-42). Date of Issuance:7-11-17. Court Reporter/Transcriber Scott Wallace, Telephone number 202-354-3196, Transcripts may be ordered by submitting the Transcript Order Form<P></P><P></P>For the first 90 days after this filing date, the transcript may be viewed at the courthouse at a public terminal or purchased from the court reporter referenced above. After 90 days, the transcript may be accessed via PACER. Other transcript formats, (multi-page, condensed, CD or ASCII) may be purchased from the court reporter.<P> NOTICE RE REDACTION OF TRANSCRIPTS: The parties have twenty-one days to file with the court and the court reporter any request to redact personal identifiers from this transcript. If no such requests are filed, the transcript will be made available to the public via PACER without redaction after 90 days. The policy, which includes the five personal identifiers specifically covered, is located on our website at www.dcd.uscourts.gov.<P></P>Redaction Request due 8/1/2017. Redacted Transcript Deadline set for 8/11/2017. Release of Transcript Restriction set for 10/9/2017.(Wallace, Scott) (Entered: 07/11/2017)
07/26/2017	<u>38</u>	STATUS REPORT by UNITED STATES DEPARTMENT OF STATE. (Lee, Jason) (Entered: 07/26/2017)
07/28/2017	<u>39</u>	STANDING ORDER: The parties are directed to read the attached Standing Order Governing Civil Cases Before Judge Emmet G. Sullivan in its entirety upon receipt. The parties are hereby ORDERED to comply with the directives in the attached Standing Order. Signed by Judge Emmet G. Sullivan on 7/28/2017. (Attachments: # <u>1</u> Exhibit) (lcegs1) (Entered: 07/28/2017)
08/22/2017	<u>40</u>	STATUS REPORT by UNITED STATES DEPARTMENT OF STATE. (Lee, Jason) (Entered: 08/22/2017)
09/22/2017	<u>41</u>	STATUS REPORT by UNITED STATES DEPARTMENT OF STATE. (Lee, Jason) (Entered: 09/22/2017)
10/23/2017	<u>42</u>	STATUS REPORT by UNITED STATES DEPARTMENT OF STATE. (Lee, Jason) (Entered: 10/23/2017)
11/02/2017		Case directly reassigned to Judge Trevor N. McFadden. Judge Emmet G. Sullivan is no longer assigned to the case. (ztnr) (Entered: 11/02/2017)
11/13/2017		NOTICE OF COURTROOM CHANGE. The parties shall take notice that the Status Conference scheduled for 1/10/2018, at 12:00 PM, will be heard in Courtroom 2 before Judge Trevor N. McFadden. (hmc) (Entered: 11/13/2017)
11/15/2017		MINUTE ORDER: In light of the recent assignment of this case to Judge McFadden, the parties are advised that the pre-existing schedule for this case remains in effect. The parties shall comply with all deadlines as previously ordered. SO ORDERED. Signed by Judge Trevor N. McFadden on November 15, 2017. (lctnm2) (Entered: 11/15/2017)

11/15/2017		ENTERED IN ERROR....MINUTE ORDER: In light of the recent assignment of this case to Judge McFadden, the parties are advised that the pre-existing schedule for this case remains in effect. The parties shall comply with all deadlines as previously ordered. SO ORDERED. Signed by Judge Trevor N. McFadden on November 15, 2017. (lctnm2) Modified on 11/15/2017 (hmc). (Entered: 11/15/2017)
11/15/2017		NOTICE OF CORRECTED DOCKET ENTRY: The second Minute Order entered on 11/15/2017, regarding the pre-existing schedule, was entered in error as a duplicate order. The parties shall disregard the entry. (hmc) (Entered: 11/15/2017)
11/22/2017	<u>43</u>	STATUS REPORT by UNITED STATES DEPARTMENT OF STATE. (Lee, Jason) (Entered: 11/22/2017)
12/05/2017	<u>44</u>	Joint MOTION for Extension of Time to <i>File Joint Status Report and to Reschedule Status Hearing</i> by UNITED STATES DEPARTMENT OF STATE (Lee, Jason). Added MOTION to Continue on 12/6/2017 (znmw). (Entered: 12/05/2017)
12/06/2017		MINUTE ORDER granting the parties' <u>44</u> Joint Motion for Extension of Time to File Joint Status Report and to Reschedule Status Hearing, for good cause shown. The parties shall now file a joint status report on January 17, 2018, addressing the subjects detailed in the Court's <u>31</u> Order of May 19, 2017. It is further ORDERED that the status hearing previously scheduled for January 10, 2018 is hereby rescheduled for January 29, 2018, at 10:00 a.m. in Courtroom 2, before Judge Trevor N. McFadden. In addition to production issues, the parties shall be prepared to address whether the Court should stay proceedings on Count II of the Amended Complaint, or decide the pending <u>32</u> Motion to Dismiss that Count. SO ORDERED. Signed by Judge Trevor N. McFadden on 12/6/2017. (lctnm2) (Entered: 12/06/2017)
12/06/2017		Set/Reset Deadlines and Hearings: Joint Status Report due by 1/17/2018. Status Conference RESCHEDULED for 1/29/2018, at 10:00 AM in Courtroom 2, before Judge Trevor N. McFadden. (hmc) (Entered: 12/06/2017)
12/20/2017	<u>45</u>	STATUS REPORT by UNITED STATES DEPARTMENT OF STATE. (Lee, Jason) (Entered: 12/20/2017)
01/17/2018	<u>46</u>	Joint STATUS REPORT by UNITED STATES DEPARTMENT OF STATE. (Lee, Jason) (Entered: 01/17/2018)
01/29/2018		Minute Entry for proceedings held before Judge Trevor N. McFadden: Status Conference held on 1/29/2018. Order forthcoming. (Court Reporter Timothy Miller.) (hmc) (Entered: 01/29/2018)
01/30/2018	<u>47</u>	NOTICE of Recent Decision by UNITED STATES DEPARTMENT OF STATE re <u>32</u> MOTION to Dismiss MOTION to Stay (Attachments: # <u>1</u> Exhibit)(Lee, Jason) (Entered: 01/30/2018)
01/31/2018		MINUTE ORDER. Pursuant to discussions at the Status Conference held on January 29, 2018, the parties shall submit a Joint Status Report on March 15, 2018, and every two months thereafter, on the 15th day of that month. SO ORDERED. Signed by Judge Trevor N. McFadden on 1/30/2018. (lctnm2) (Entered: 01/31/2018)
01/31/2018		Set/Reset Deadlines: Joint Status Report due by 3/15/2018, and every two months thereafter. (hmc) (Entered: 01/31/2018)
02/08/2018	<u>48</u>	ORDER denying Defendant's <u>32</u> Partial Motion to Dismiss or to Stay Proceedings. See order for details. Signed by Judge Trevor N. McFadden on 2/8/2018. (lctnm2) (Entered: 02/08/2018)
02/22/2018	<u>49</u>	TRANSCRIPT OF PROCEEDINGS before Judge Emmet G. Sullivan held on 05/19/2017; Page Numbers: 1–21. Date of Issuance:02/22/2018. Court Reporter/Transcriber Crystal M. Pilgrim, RPR, FCRR, Telephone number 202.354.3127, Transcripts may be ordered by submitting the <u>Transcript Order Form</u> For the first 90 days after this filing date, the transcript may be viewed at the courthouse at a public terminal or purchased from the court reporter referenced above. After 90 days, the transcript may be accessed via PACER. Other transcript formats, (multi–page, condensed, CD or ASCII) may be purchased from the court reporter.

		<p>NOTICE RE REDACTION OF TRANSCRIPTS: The parties have twenty-one days to file with the court and the court reporter any request to redact personal identifiers from this transcript. If no such requests are filed, the transcript will be made available to the public via PACER without redaction after 90 days. The policy, which includes the five personal identifiers specifically covered, is located on our website at www.dcd.uscourts.gov.</p> <p>Redaction Request due 3/15/2018. Redacted Transcript Deadline set for 3/25/2018. Release of Transcript Restriction set for 5/23/2018.(Pilgrim, Crystal) (Entered: 02/22/2018)</p>
02/22/2018	<u>50</u>	ANSWER to <u>25</u> Amended Complaint by UNITED STATES DEPARTMENT OF STATE.(Lee, Jason) (Entered: 02/22/2018)
02/23/2018		MINUTE ORDER. Before the Court are a complaint and an answer in this FOIA case. It is hereby ORDERED that the parties shall meet and confer and file a Joint Status Report proposing a schedule for proceeding in this matter. The schedule should address, in addition to the matters already required pursuant to the Court's Minute Order of January 31, 2018, the status of Plaintiff's FOIA request, the anticipated number of documents responsive to Plaintiff's FOIA request, the anticipated date(s) for release of the documents requested by Plaintiff, whether a motion for an Open America stay is likely in this case, whether a Vaughn index will be required in this case, and a briefing schedule for dispositive motions, if required. The parties shall file the schedule on or before March 15, 2018. Signed by Judge Trevor N. McFadden on 2/22/2018. (lctnm2) (Entered: 02/23/2018)
02/23/2018		Set/Reset Deadlines: Parties to meet and confer and file a Joint Status Report by 3/15/2018. (hmc) (Entered: 02/23/2018)
03/15/2018	<u>51</u>	Joint STATUS REPORT by UNITED STATES DEPARTMENT OF STATE. (Lee, Jason) (Entered: 03/15/2018)
03/16/2018		MINUTE ORDER. Upon consideration of the parties' <u>51</u> Joint Status Report, the parties are hereby ORDERED to file another Joint Status Report on or before March 29, 2018, proposing a schedule for further proceedings. SO ORDERED. Signed by Judge Trevor N. McFadden on 3/15/2018. (lctnm2) (Entered: 03/16/2018)
03/16/2018		Set/Reset Deadlines: Joint Status Report due by 3/29/2018. (tg) (Entered: 03/16/2018)
03/29/2018	<u>52</u>	Joint STATUS REPORT by UNITED STATES DEPARTMENT OF STATE. (Lee, Jason) (Entered: 03/29/2018)
04/03/2018		MINUTE ORDER. In light of the <u>52</u> Joint Status Report, the parties are hereby ORDERED to appear for a Status Conference on April 19, 2018 at 10:00 a.m. in Courtroom 2, before Judge Trevor N. McFadden. Signed by Judge Trevor N. McFadden on 4/3/2018. (lctnm2) (Entered: 04/03/2018)
04/03/2018		Set/Reset Hearings: Status Conference scheduled for 4/19/2018, at 10:00 AM in Courtroom 2, before Judge Trevor N. McFadden. (hmc) (Entered: 04/03/2018)
04/18/2018	<u>53</u>	NOTICE of Filing by UNITED STATES DEPARTMENT OF STATE re <u>52</u> Status Report (Attachments: # <u>1</u> Declaration)(Lee, Jason) (Entered: 04/18/2018)
04/19/2018		Minute Entry for proceedings held before Judge Trevor N. McFadden: Status Conference held on 4/19/2018. Order forthcoming. (Court Reporter: Sara Wick.) (hmc) (Entered: 04/19/2018)
04/19/2018		MINUTE ORDER. As ordered on the record, the Plaintiff shall submit a supplemental filing on or before April 27, 2018, with a list of the Plaintiff's FOIA cases against the U.S. Department of State in this District, ranked in order of the Plaintiff's priorities. SO ORDERED. Signed by Judge Trevor N. McFadden on 4/19/2018. (lctnm2) (Entered: 04/19/2018)
04/19/2018		Set/Reset Deadlines: Plaintiff's supplemental filing due by 4/27/2018. (hmc) (Entered: 04/19/2018)
04/25/2018	<u>54</u>	STANDING ORDER Establishing Procedures for Cases Before Judge Trevor N. McFadden. The parties are hereby ORDERED to read and comply with the directives

		in the attached standing order. Courtesy copies are excused for all filings predating the entry of this Standing Order. Signed by Judge Trevor N. McFadden on 4/25/2018. (lctnm2) (Entered: 04/25/2018)
04/27/2018	<u>55</u>	NOTICE Supplemental Filing of Plaintiff's FOIA Requests pending against the U.S. Department of State by AMERICAN CENTER FOR LAW AND JUSTICE (Southerland, Abigail) (Entered: 04/27/2018)
05/03/2018	<u>56</u>	MOTION for Partial Summary Judgment by UNITED STATES DEPARTMENT OF STATE (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Exhibit, # <u>3</u> Exhibit, # <u>4</u> Exhibit, # <u>5</u> Exhibit, # <u>6</u> Exhibit, # <u>7</u> Statement of Facts, # <u>8</u> Text of Proposed Order)(Lee, Jason) (Entered: 05/03/2018)
05/03/2018		MINUTE ORDER. In light of the Plaintiff's <u>55</u> Supp. Filing Providing List of FOIA Cases Against the U.S. Department of State, beginning with the June production cycle, the Defendant shall aspire to process 600 pages per month, with the expectation that any monthly shortfall will be made up in the following month. This order takes into consideration the reduced processing requirements that will be imposed in <i>American Center for Law and Justice v. United States National Security Agency et al.</i> , Case No. 1:17-cv-1425. The parties shall file Joint Status Reports every 60 days, beginning on May 17, 2018. SO ORDERED. Signed by Judge Trevor N. McFadden on 5/3/2018. (lctnm2) (Entered: 05/03/2018)
05/04/2018		Set/Reset Deadlines: Joint Status Report due by 5/17/2018, and every 60 days thereafter. (hmc) (Entered: 05/04/2018)
05/10/2018	<u>57</u>	MOTION to Stay re <u>56</u> MOTION for Partial Summary Judgment by AMERICAN CENTER FOR LAW AND JUSTICE (Southerland, Abigail) (Entered: 05/10/2018)
05/10/2018		MINUTE ORDER. In light of Plaintiff's representations in its <u>57</u> Motion to Stay Partial Summary Judgment Proceedings, the Court will extend the Plaintiff's deadline for filing an opposition to the Motion for Partial Summary Judgment pending a decision by this Court on the Motion to Stay. The Plaintiff shall file an opposition to the <u>56</u> Motion for Partial Summary Judgment by May 29, 2018, or 14 days after the Court decides the <u>57</u> Motion to Stay, whichever date is later. SO ORDERED. Signed by Judge Trevor N. McFadden on 5/10/2018. (lctnm2) (Entered: 05/10/2018)
05/11/2018		Set/Reset Deadlines: Plaintiff's opposition to Motion for Partial Summary Judgment due by 5/29/2018, or 14 days after the Court decides the Motion to Stay. (hmc) (Entered: 05/11/2018)
05/14/2018	<u>58</u>	Memorandum in opposition to re <u>57</u> MOTION to Stay re <u>56</u> MOTION for Partial Summary Judgment filed by UNITED STATES DEPARTMENT OF STATE. (Attachments: # <u>1</u> Text of Proposed Order)(Lee, Jason) (Entered: 05/14/2018)
05/15/2018		MINUTE ORDER. Upon consideration of the Plaintiff's <u>57</u> Motion to Stay and the Defendant's <u>58</u> Opposition thereto, the <u>57</u> Motion to Stay is hereby DENIED. Although the pending decision in <i>Judicial Watch, Inc. v. Dep't Homeland Security</i> , Case No. 16-5339 (D.C. Cir.) may prove to be of some relevance, the parties may address that decision in a supplemental filing, if necessary. Given the factual and legal posture of this case, I find that the interest of judicial economy weighs in favor of continued briefing on the <u>56</u> Motion for Partial Summary Judgment. Accordingly, the Plaintiff shall file an opposition to the <u>56</u> Motion for Partial Summary Judgment by May 29, 2018, and the Defendant shall file a reply by June 5, 2018. SO ORDERED. Signed by Judge Trevor N. McFadden on 5/15/2018. (lctnm2) (Entered: 05/15/2018)
05/15/2018		Set/Reset Deadlines: Plaintiff's opposition to the Motion for Partial Summary Judgment due by 5/29/2018. Defendant's reply in support of its motion due by 6/5/2018. (hmc) (Entered: 05/15/2018)
05/17/2018	<u>59</u>	Joint STATUS REPORT by UNITED STATES DEPARTMENT OF STATE. (Lee, Jason) (Entered: 05/17/2018)
05/29/2018	<u>60</u>	Memorandum in opposition to re <u>56</u> MOTION for Partial Summary Judgment filed by AMERICAN CENTER FOR LAW AND JUSTICE. (Attachments: # <u>1</u> Statement of Facts, # <u>2</u> Declaration, # <u>3</u> Exhibit 1, # <u>4</u> Exhibit 2, # <u>5</u> Exhibit 3, # <u>6</u> Text of Proposed Order)(Southerland, Abigail) (Entered: 05/29/2018)

05/29/2018	<u>61</u>	STRICKEN PURSUANT TO MINUTE ORDER FILED 5/30/18. . . .MOTION for Discovery by AMERICAN CENTER FOR LAW AND JUSTICE (Attachments: # <u>1</u> Declaration, # <u>2</u> Text of Proposed Order)(Southerland, Abigail) Modified on 5/30/2018 (ztd). (Entered: 05/29/2018)
05/30/2018		MINUTE ORDER striking the Plaintiff's <u>61</u> Motion for Discovery. The Plaintiff is instructed to file a motion that complies with Local Civil Rule 7(m), which requires the moving party to discuss any anticipated nondispositive motion in a civil action with opposing counsel "in a good-faith effort to determine whether there is any opposition to the relief sought and, if there is, to narrow the areas of disagreement," and also to "include in its motion a statement that the required discussion occurred, and a statement as to whether the motion is opposed." SO ORDERED. Signed by Judge Trevor N. McFadden on 5/30/2018. (lctnm2) (Entered: 05/30/2018)
05/30/2018	<u>62</u>	Amended MOTION for Discovery <i>Under Federal Rule Civil Procedure 56(d)</i> by AMERICAN CENTER FOR LAW AND JUSTICE (Attachments: # <u>1</u> Declaration, # <u>2</u> Text of Proposed Order)(Southerland, Abigail) (Entered: 05/30/2018)
06/05/2018	<u>63</u>	REPLY to opposition to motion re <u>56</u> MOTION for Partial Summary Judgment <i>and Opposition to Plaintiff's Amended Motion for Discovery</i> filed by UNITED STATES DEPARTMENT OF STATE. (Attachments: # <u>1</u> Statement of Facts Response to Plaintiff's Additional Undisputed Material Facts, # <u>2</u> Text of Proposed Order)(Lee, Jason) (Entered: 06/05/2018)
06/05/2018	<u>64</u>	RESPONSE re <u>62</u> Amended MOTION for Discovery <i>Under Federal Rule Civil Procedure 56(d) and Reply in Support of Motion for Partial Summary Judgment</i> filed by UNITED STATES DEPARTMENT OF STATE. (Attachments: # <u>1</u> Statement of Facts Response to Plaintiff's Additional Undisputed Material Facts, # <u>2</u> Text of Proposed Order)(Lee, Jason) (Entered: 06/05/2018)
06/12/2018	<u>65</u>	REPLY to opposition to motion re <u>62</u> Amended MOTION for Discovery <i>Under Federal Rule Civil Procedure 56(d)</i> filed by AMERICAN CENTER FOR LAW AND JUSTICE. (Southerland, Abigail) (Entered: 06/12/2018)
07/16/2018	<u>66</u>	Joint STATUS REPORT by UNITED STATES DEPARTMENT OF STATE. (Lee, Jason) (Entered: 07/16/2018)
07/20/2018		MINUTE ORDER. The parties are hereby ORDERED to appear for a hearing on the Government's <u>56</u> Motion for Partial Summary Judgment, and the Plaintiff's <u>62</u> Motion for Discovery, on August 6, 2018, at 10:00 a.m. in Courtroom 2 before Judge Trevor N. McFadden. SO ORDERED. Signed by Judge Trevor N. McFadden on 7/20/2018. (lctnm2) (Entered: 07/20/2018)
07/23/2018		Set/Reset Hearings: Motion for Partial Summary Judgment and Motion for Discovery Hearing scheduled for 8/6/2018, at 10:00 AM in Courtroom 2, before Judge Trevor N. McFadden. (hmc) (Entered: 07/23/2018)
07/24/2018	<u>67</u>	Unopposed MOTION to Continue <i>and to Reschedule Motions Hearing</i> by UNITED STATES DEPARTMENT OF STATE (Lee, Jason) (Entered: 07/24/2018)
07/24/2018		MINUTE ORDER granting the Defendant's <u>67</u> Unopposed Motion to Reschedule. The motions hearing previously set for August 6, 2018, is hereby rescheduled for August 14, 2018, at 10:30 a.m. in Courtroom 2, before Judge Trevor N. McFadden. SO ORDERED. Signed by Judge Trevor N. McFadden on 7/24/2018. (lctnm2) (Entered: 07/24/2018)
07/24/2018		Set/Reset Hearings: Motions Hearing rescheduled for 8/14/2018, at 10:30 AM in Courtroom 2, before Judge Trevor N. McFadden. (hmc) (Entered: 07/24/2018)
08/14/2018		Minute Entry for proceedings held before Judge Trevor N. McFadden: Motion Hearing held on 8/14/2018. <u>56</u> MOTION for Partial Summary Judgment filed by UNITED STATES DEPARTMENT OF STATE, heard and denied. <u>62</u> Amended MOTION for Discovery <i>Under Federal Rule Civil Procedure 56(d)</i> filed by AMERICAN CENTER FOR LAW AND JUSTICE, heard and granted. Order forthcoming. (Court Reporter: Cathryn Jones.) (hmc) (Entered: 08/14/2018)
08/14/2018	<u>68</u>	ORDER. For the reasons stated on the record, the Court DENIES the Defendant's <u>56</u> Motion for Partial Summary Judgment, and GRANTS the Plaintiff's <u>62</u> Motion for

		Discovery. See Order for details. The parties should note the post-discovery Status Conference on February 15, 2019. SO ORDERED. Signed by Judge Trevor N. McFadden on 8/14/2018. (lctnm2) (Entered: 08/14/2018)
08/15/2018		Set/Reset Deadlines/Hearings: Plaintiff's narrow set of discovery requests due by 8/31/2018. Government's opposition due by 9/30/2018. Discovery to begin on 10/1/2018 and close on 2/1/2019. Status Conference scheduled for 2/15/2019, at 10:00 AM in Courtroom 2 before Judge Trevor N. McFadden. (hmc) (Entered: 08/15/2018)
08/30/2018	<u>69</u>	NOTICE of Appearance by Olivia F. Summers on behalf of AMERICAN CENTER FOR LAW AND JUSTICE (Summers, Olivia) (Entered: 08/30/2018)
09/07/2018	<u>70</u>	TRANSCRIPT OF PROCEEDINGS before Judge Trevor N. McFadden held on August 14, 2018; Page Numbers: 1 – 50. Court Reporter/Transcriber Cathryn Jones, Telephone number 202 354–3246, Transcripts may be ordered by submitting the Transcript Order Form For the first 90 days after this filing date, the transcript may be viewed at the courthouse at a public terminal or purchased from the court reporter referenced above. After 90 days, the transcript may be accessed via PACER. Other transcript formats, (multi–page, condensed, CD or ASCII) may be purchased from the court reporter. NOTICE RE REDACTION OF TRANSCRIPTS: The parties have twenty–one days to file with the court and the court reporter any request to redact personal identifiers from this transcript. If no such requests are filed, the transcript will be made available to the public via PACER without redaction after 90 days. The policy, which includes the five personal identifiers specifically covered, is located on our website at www.dcd.uscourts.gov . Redaction Request due 9/28/2018. Redacted Transcript Deadline set for 10/8/2018. Release of Transcript Restriction set for 12/6/2018.(Jones, Cathryn) (Entered: 09/07/2018)
09/10/2018	<u>71</u>	ENTERED IN ERROR.....TRANSCRIPT OF PROCEEDINGS before Judge Trevor N. McFadden held on August 14, 2018; Page Numbers: 1 – 50. Court Reporter/Transcriber Cathryn Jones, Telephone number 202 354–3246, Transcripts may be ordered by submitting the <u>Transcript Order Form</u> For the first 90 days after this filing date, the transcript may be viewed at the courthouse at a public terminal or purchased from the court reporter referenced above . After 90 days, the transcript may be accessed via PACER. Other transcript formats, (multi–page, condensed, CD or ASCII) may be purchased from the court reporter. NOTICE RE REDACTION OF TRANSCRIPTS: The parties have twenty–one days to file with the court and the court reporter any request to redact personal identifiers from this transcript. If no such requests are filed, the transcript will be made available to the public via PACER without redaction after 90 days. The policy, which includes the five personal identifiers specifically covered, is located on our website at www.dcd.uscourts.gov . Redaction Request due 10/1/2018. Redacted Transcript Deadline set for 10/11/2018. Release of Transcript Restriction set for 12/9/2018.(Jones, Cathryn); Modified on 9/13/2018 (tth). (Entered: 09/10/2018)
09/12/2018	<u>72</u>	Joint STATUS REPORT by UNITED STATES DEPARTMENT OF STATE. (Lee, Jason) (Entered: 09/12/2018)
09/13/2018		NOTICE OF CORRECTED DOCKET ENTRY: re <u>71</u> Transcript, was entered in error. The Transcript is a duplicate of docket entry <u>70</u> . (tth) (Entered: 09/13/2018)
11/13/2018	<u>73</u>	Joint STATUS REPORT by UNITED STATES DEPARTMENT OF STATE. (Lee, Jason) (Entered: 11/13/2018)
01/04/2019	<u>74</u>	Unopposed MOTION to Stay <i>Deadlines to File Joint Status Report and Complete Discovery in Light of Lapse of Appropriations</i> by UNITED STATES DEPARTMENT OF STATE (Lee, Jason) (Entered: 01/04/2019)
01/04/2019		MINUTE ORDER granting <u>74</u> Motion to Stay. Upon considering the Defendant's <u>74</u> Unopposed Motion to Stay Deadlines to File Joint Status Report and Complete Discovery, it is hereby ordered that this matter shall be stayed until Congress has restored appropriations to the Department of Justice and the Department of State. It is

		further ordered that the Defendants will notify the Court immediately upon resumption of appropriations. Signed by Judge Trevor N. McFadden on 1/4/2019. (lctnm2) (Entered: 01/04/2019)
01/28/2019	<u>75</u>	NOTICE of Restoration of Appropriations by UNITED STATES DEPARTMENT OF STATE (Lee, Jason) (Entered: 01/28/2019)
01/28/2019		MINUTE ORDER. Upon considering the Defendant's <u>75</u> Notice of Restoration of Appropriations, it is hereby ordered that this matter is no longer stayed. It is further ordered that on or before February 1, 2019, the parties shall meet and confer, and propose a schedule for filing a Joint Status Report, recommencing productions in response to the Plaintiff's FOIA requires, and completing discovery. Signed by Judge Trevor N. McFadden on 1/28/2019. (lctnm2) (Entered: 01/28/2019)
01/28/2019		Set/Reset Deadlines: Parties shall meet and confer by 2/1/2019. (hmc) (Entered: 01/28/2019)
02/01/2019	<u>76</u>	Joint STATUS REPORT and Joint Motion for an Extension of Discovery Deadlines by UNITED STATES DEPARTMENT OF STATE. (Attachments: # <u>1</u> Text of Proposed Order)(Lee, Jason) (Entered: 02/01/2019)
02/01/2019	<u>77</u>	Joint MOTION for Extension of Time to Complete Discovery and Joint Status Report by UNITED STATES DEPARTMENT OF STATE (Attachments: # <u>1</u> Text of Proposed Order)(Lee, Jason) (Entered: 02/01/2019)
02/01/2019		MINUTE ORDER. Upon considering the parties' <u>77</u> Joint Status Report and Joint Motion for Extension of Discovery Deadlines, it is hereby ordered that the parties shall comply with the following schedule: The Department of State will make its next production on February 28, 2019, and on the 28th day of each month thereafter; the parties shall file a Joint Status Report on April 2, 2019; the parties shall complete discovery on the Plaintiff's claims by April 1, 2019; and the parties shall appear for a status conference on April 15, 2019, at 10 am in Courtroom 2 before Judge Trevor McFadden. Signed by Judge Trevor N. McFadden on 02/01/2019. (lctnm2) (Entered: 02/01/2019)
02/01/2019		Set/Reset Deadlines/Hearings: Department of State's next production due by 2/28/2019, and on the 28th day of each month thereafter. Joint Status Report due by 4/2/2019. Discovery to be complete by 4/1/2019. Status Conference set for 4/15/2019 at 10:00 AM in Courtroom 2 before Judge Trevor N. McFadden. (hmc) (Entered: 02/01/2019)
02/11/2019		MINUTE ORDER. On February 1, 2019, the Court granted by Minute Order the parties' request that the Status Conference initially scheduled for February 15, 2019, be rescheduled for April 15, 2019. Upon further consideration, the status conference scheduled for April 15, 2019 is hereby rescheduled for April 24, 2019, at 10 am in Courtroom 2. Signed by Judge Trevor N. McFadden on 02/11/2019. (lctnm2) (Entered: 02/11/2019)
02/11/2019		Set/Reset Hearings: Status Conference rescheduled for 4/24/2019 at 10:00 AM in Courtroom 2 before Judge Trevor N. McFadden. (hmc) (Entered: 02/11/2019)
03/14/2019	<u>78</u>	NOTICE OF SUBSTITUTION OF COUNSEL by Andrew Marshall Bernie on behalf of UNITED STATES DEPARTMENT OF STATE Substituting for attorney Jason Lee (Bernie, Andrew) (Entered: 03/14/2019)
03/14/2019	<u>79</u>	Consent MOTION for Extension of Time to Complete Discovery , to File Joint Status Report, and to Reschedule Status Conference by UNITED STATES DEPARTMENT OF STATE (Attachments: # <u>1</u> Text of Proposed Order)(Bernie, Andrew). Added MOTION to Continue on 3/15/2019 (tth). (Entered: 03/14/2019)
03/15/2019		MINUTE ORDER granting <u>79</u> Motion for Extension of Time to Complete Discovery. Upon considering the Defendant's <u>79</u> Consent Motion to Reset Deadline for Close of Discovery, it is hereby ordered that discovery related to the Plaintiff's policy or practice claim shall conclude by April 22, 2019. It is further ordered that the parties shall file a Joint Status Report on or before April 23, 2019. It is further ordered that the parties shall appear for a post-discovery Status Conference on May 14, 2019, at 10 am in Courtroom 2. The Status Conference now scheduled for April 24, 2019, is accordingly vacated. Further extension requests will be disfavored. Signed by Judge

		Trevor N. McFadden on 03/15/2019. (lctnm2) (Entered: 03/15/2019)
03/15/2019		Set/Reset Deadlines/Hearings: Discovery due by 4/22/2019. Joint Status Report due by 4/23/2019. Post- Discovery Status Conference set for 5/14/2019 at 10:00 AM in Courtroom 2 before Judge Trevor N. McFadden. (hmc) (Entered: 03/15/2019)